

5/027/079

August 1, 2000

Mr. Rex Rowley
Field Manager
Fillmore Office
Bureau of Land Management
35 East 500 North
Fillmore, Utah 84631

CERTIFIED MAIL ARTICLE 7049 3400 0015 3414 0293

NOTICE OF APPEAL

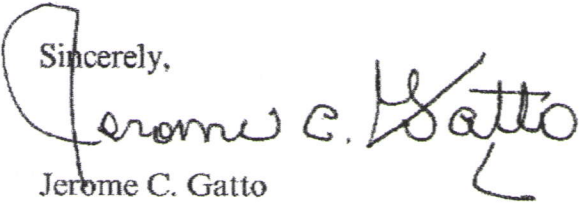
Cambrillic Natural Stone hereby appeals your decision in your letter of July 7, 2000, a copy is attached hereto.

Your request that Cambrillic Natural Stone appeal under the provisions of 43 CFR 3809.4 cannot be accommodated, due to the fact that the intrinsic nature of your decision, may have a bearing on the pending litigation before the Interior Board of Land Appeals.
IBLA 2000-249.

Additionally, your decision is couched under an appeal filed by Cambrillic Natural Stone, July 29, 1999, and presently under consideration by the State Director. As of this writing Cambrillic Natural Stone knows of no decision in this matter, or has been provided with a Case or Docket Number.

Cambrillic Natural Stone appeals under the provisions of 43 CFR Sections 4.411 and 4.13).
and **chooses not to afford reasons at this time.**

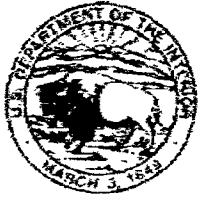
Sincerely,


Jerome C. Gatto
Co-Appellant
Cambrillic Natural Stone LLC
1730 South 1100 East
Salt Lake City, Utah 84105
801-983-7002

RECEIVED

AUG 02 2000

DIVISION OF
OIL, GAS AND MINING



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
FILLMORE FIELD OFFICE
35 East 500 North
Fillmore, UT 84631
<http://enbb.blm.interwebdesigna.com>



IN REPLY REFER TO
3800
(U-010)
UTU-378275

July 7, 2000

CERTIFIED RECEIPT # Z 135 573 547
RETURN RECEIPT REQUESTED

WILLIAM PAPPAS
MANAGER
CAMBRILLIC NATURAL STONE LLC
1730 S 1100 E
SALT LAKE CITY UT 84105

Dear Mr. Pappas:

Enclosed is the environmental assessment (EA) that was prepared to analyze the impacts of your current and future mining proposals located in T. 17 S., R. 13 W., Sections 14 and 23. Your Plan of Operations (Plan) is approved, contingent upon the mitigations specified in the EA, and the following conditions:

1. You submit to the Utah State Office of the Bureau of Land Management (BLM) an interim reclamation bond in the amount of \$5,000. The bond will be recalculated and, if necessary, will be increased before you exceed five acres of disturbance. The five acres will include the unreclaimed area where Baron Trading's shop and mobile homes were located.
2. You set up with the Utah State Office of the BLM an escrow account of at least \$1,000. The appraised value of stone in the area is \$10/per ton; therefore each \$1,000 will allow you to remove 100 tons of material. Before removing more than that, at least \$1,000 more will be deposited, and so forth thereafter. At no time will the value of the material you remove exceed the funds in the escrow account. The funds will remain in escrow until either the Billy Boy and Helen 1, 2, and 3 (UMC's 35365-8) and the Billy Boy 4 (UMC 354029) claims are found invalid through contest claim, or the mineral

report currently under preparation finds the material to be an uncommon variety.

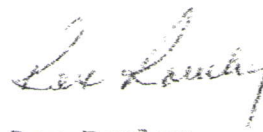
3. You submit the to Utah State Office of the BLM formal notification that you are withdrawing the appeal submitted to the Utah State Director on July 29, 1999. This appeal was in response to our rejection of your mining notice to conduct operations at the same site as the subject Plan, therefore we cannot take action until the appeal is either withdrawn or a decision has been rendered.

Please contact Opelonia Abeyta at (801)539-4123 for information on submitting the bond and setting up the escrow account.

If you do not agree with any of these terms, you have the right to appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision, must be filed in writing at this office within 30 days after the date of this decision. This decision will remain in effect during appeal unless a written request for a stay is granted.

If you have any questions, please feel free to contact Sheri Wysong at (435)743-3124.

Sincerely,



Rex Rowley
Field Manager

Enclosure
Environmental Assessment

cc: D. Wayne Hedberg, UDOGM (S/027/079)
UT-932

cc (w/enclosure, RRR # Z 135 573 548): Dick Stone, Unique Minerals,
1359 Park Street, SLC, UT 84105

Form 1042-1
(July 1999)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL Within 30 days file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Secs. 4.411 and 4.413). You may state your reasons for appealing, if you desire.
2. WHERE TO FILE
NOTICE OF APPEAL

Bureau of Land Management
Fillmore Field Office
35 East 500 North
Fillmore, Utah 84631

SOLICITOR
ALSO COPY TO

Regional Solicitor
Federal Building, Room 6201
125 South State Street
Salt Lake City, Utah 84138-1180
3. STATEMENT OF REASONS Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203 (see 43 CFR Sec. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary.

SOLICITOR
ALSO COPY TO

Regional Solicitor
Federal Building, Room 6201
125 South State Street
Salt Lake City, Utah 84138-1880
4. ADVERSE PARTIES Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the *Statement of Reasons*, and (c) any other documents filed (see 43 CFR Sec. 4.413). Service will be made upon the Associate Solicitor, Division of Energy and Resources, Washington, D.C. 20240, instead of the Field or Regional Solicitor when appeals are taken from decisions of the Director (WD-100).
5. PROOF OF SERVICE Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Sec. 4.401(c)(2)).

Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed

NOTE: A document is not filed until it is actually received in the proper office (see 43 CFR Sec. 4.401(a)).

CERTIFICATE OF SERVICE

I hereby certify that on the **August 1, 2000** I caused to be mailed, certified mail prepaid, the original Notice of Appeal, concerning a Letter from Mr. Rex Rowley, Fillmore Field Office, dated July 7, 2000, and received by Co-Appellant on July 8, 2000. Copies of such notice were sent certified to the following:

CERTIFIED MAIL

IBLA 2000-249

United States Department of Interior
Board of Land Appeals
4015 Wilson Blvd.
Arlington, VA 22203

CERTIFIED MAIL

Mr. John Steiger
Office of Field Solicitor
Suite 6201 Federal Building
125 South State Street
Salt Lake City, Utah 84138

ORIGINAL

CERTIFIED MAIL

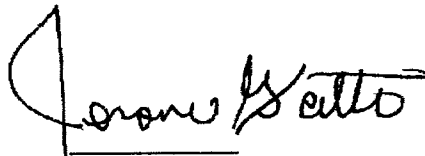
Bureau of Land Management
Fillmore Field Office
35 East 500 North
Fillmore, Utah 84631

CERTIFIED MAIL

Bureau of Land Management
Utah State Office
324 South State Street Suite 301
Salt Lake City, Utah 84111

REGULAR MAIL

Mr. Tom Monson
State of Utah
DOGM
1594 W.N.Temple
Salt Lake City, Utah 84114



Jerome C. Gatto
Co-Appellant
Cambrillic Natural Stone LLC